

## **Existing Conservation Efforts in Idaho**

There are a number of existing efforts that seek to protect either environmentally important forested lands in Idaho or the values associated with such lands. The efforts take two basic forms—“regulatory programs”, with an objective of protecting such values as fish or water quality while allowing continued resource management and “protection programs”, wherein specific activities on specific areas of land are prohibited or tightly controlled. Existing conservation programs also can be classified into publicly supported programs (both state and federal) and privately funded or administered efforts.

### **Publicly Supported Programs**

***Idaho Forest Practices Act***—In existence since 1974, the Idaho Forest Practices Act rules represent common sense actions necessary to protect fish and water quality, particularly, from negative impacts from forest management. The rules are mandatory and enforced by the Bureau of Forestry Assistance within the Idaho Department of Lands.

The Forest Practices Act is also an extension of the federal “Clean Water Act” and represents Idaho’s implementation of this law as it relates to forest management. As a result, the forest practice rules must be sufficiently stringent to meet approved water quality standards. For example, there are standards for stream temperature that are mandated by the federal law and which Idaho must meet. As streams flow through forested lands, the Idaho Forest Practice Act rules require that enough streamside shade and large trees be left to prevent undue warming of the water. When water quality standards are not met, then federal law requires that a “total maximum daily load” be developed to reduce pollutants within the watershed so that, once again, standards are achieved. In addition, every four years, Idaho’s Forest Practice Act rules are “audited” in the field to make sure they are applied and effective. The quadrennial audits have resulted in a number of changes to strengthen the rules.

***Other Forest Management Programs***—In addition to administering the Forest Practices Act, the Idaho Department of Lands, with the cooperation of the Forest Service’s State and Private Forestry branch, offers additional technical help and financial incentives to nonindustrial landowners. These include: the Forest Resource Management Program (technical assistance to landowners), the Forest Stewardship Program (technical and financial assistance for private land management), and, the Stewardship Incentive Program (technical and financial assistance for multi-resource forest practices).

***Conservation Tax Incentives***—Several years ago, the Idaho Legislature adopted a tax credit of up to \$2,000 per landowner per year for expenses related to complying with a TMDL or enhancing the habitat for endangered, threatened or candidate species. Such practices might include fencing riparian areas in spawning areas for bull trout or salmon. The Idaho Soil Conservation Commission administers the act.

***County Subdivision Limitations***—Some counties have adopted ordinances that limit the ability of “casual” divisions of rural property. Those counties with such requirements will not issue building permits for parcels of land below certain sizes that were sold from larger parcels subsequent to the passage of the law unless those lands are to be developed as a fully platted and improved subdivision.

***Property Tax Treatments***—Rural landowners may opt for various land classifications that allow for lower taxes than if their lands were taxed at “highest and best use”. For timberland owners, there is the option of having property taxes based on the land’s capability of producing crops of timber or at an even lower rate with a yield tax collected at the time of timber harvest. Landowners who have lands with scattered trees and who use that land for livestock grazing may opt for the “dryland grazing” tax category. So long as the land use does not change, the land is taxed at the lower rates offered by these options, despite the inherent value of the land for some type of development.

***Conservation Reserve Program***—Created at the federal level, the Natural Resource Conservation Service and Farm Service Agency administers the “conservation reserve program”. The CRP is a voluntary program that offers annual rental payments, incentive payments for certain activities, and cost-share assistance to establish approved cover on eligible cropland. The program encourages farmers to plant long-term resource-conserving covers to improve soil, water, and wildlife resources. While this is primarily an “ag lands” oriented program, it is not uncommon for the lands enrolled in it to be planted in trees, thereby helping establish more forest lands in the state.

***Other USDA “Agricultural” Programs***—Like those programs directed toward private forest landowners, other branches of the Department of Agriculture offer programs that are generally directed toward the owners of agricultural lands. However, those lands often include areas with trees and vegetative cover that would be eligible for inclusion in Idaho’s Forest Legacy Program. These programs include (in addition to the CRP), the “Environmental Quality Incentives Program (EQIP) designed to protect water quality and the Forestry Incentives Program that provides cost-share assistance to landowners who plant trees and implement other forest management practices.

***North American Wetlands Conservation Act (NAWCA)***—This federal act provides funds to regional “joint venture” organizations that provides and administers grants for various wetland projects. In north Idaho, Ducks Unlimited, The Nature Conservancy, Idaho Department of Fish and Game and the Kootenai Tribe was awarded a \$1 million grant for wetland protection in the Kootenai River Valley, that includes conservation easements as well as land acquisition and restoration projects.

In addition to the Idaho Department of Lands, which has most of the statutory authority for administering programs that assist private forest landowners, other state and federal agencies play important roles in administering the programs described above.

***U.S. Fish and Wildlife Service***—In addition to administering the National Wildlife Refuge System and other wildlife lands, the USFWS administers the Endangered Species Act as it pertains to resident fish and wildlife. USFWS reviews and comments on land use activities that affect fish and wildlife resources such as timber harvest rules, stream alteration proposals, dredging and filling in wetlands and hydroelectric projects.

***Natural Resource Conservation Service***—The NRCS provides technical support to the Soil and Water Conservation District (SWCD) with distribution of federal cost-share monies associated with reducing soil erosion and increasing agricultural production on privately owned land. They provide engineering and technical support for land and water resource development, protection and restoration projects.

***Individual Soil Conservation Districts***—In Idaho, the state’s 51 soil conservation districts are a unique unit of local government that promote clean water, productive soils and a healthy

environment by assisting rural landowners with conservation projects<sup>7</sup>. Districts conduct projects that demonstrate NPS pollution control practices, preferring voluntary, educational, and incentive-based approaches over regulatory approaches. Additionally, district boards work with state and federal regulatory agencies (for the most part, the Idaho Division of Environmental Quality and the U.S. Environmental Protection Agency) to identify problem areas and prioritize treatment. Conservation districts often draw people and resources together to catalyze or assist in the development of watershed planning efforts. Conservation districts sponsor many stream restoration projects, conduct landowner workshops, produce and distribute informational and educational materials, and hold demonstrations and tours of innovative riparian management techniques and projects.

## **Privately Supported Programs**

***Private and Non-Profit Organizations***—The Nature Conservancy, Trust for Public Lands, the Conservation Fund and numerous smaller land trusts are qualified under Idaho law to hold perpetual conservation easements for the purpose of protecting various environmental values. These same entities can also purchase land for conservation purposes and complete habitat restoration projects.

The Trust for Public Land (TPL) is a non-profit land conservation organization that works to protect land for human well being and enjoyment, and to improve the quality of life in American communities. Founded in 1972, TPL's legal, real estate and financial specialists work with landowners, community groups, local businesses and government agencies to conserve land for watershed protection, scenic beauty and open space, recreation, habitat and a host of other public values. TPL has completed over 20 projects in Idaho – primarily focused on wildlife and fisheries habitat, Wild and Scenic River inholdings, historic ranches, and key inholdings in the National Forests. Major TPL programs in Idaho include:

- **Wild & Scenic Rivers** – TPL is working to identify and protect those private lands located within and proximal to designated Wild and Scenic Rivers that contain high conservation values which are at risk.
- **Forestland Protection** –TPL is working to acquire lands or easements on forestlands with significant public conservation and recreation values. These easements remove the development rights, allowing the forestlands to stay in production and private ownership.
- **Lewis and Clark and Nez Perce Trails** – TPL is actively working with partners to identify and protect private lands along designated National Historic Trails that contain high conservation values and are threatened with development.
- **Working Landscapes** – In addition to helping protect public open space, TPL also works with individual landowners to protect working landscapes, including agriculture lands such as farms, ranches and orchards; forestlands and woodlots.
- **Boise Foothills** – In partnership with the City of Boise and community supporters, TPL helped put a \$10 million open space levy on the ballot for the surrounding 100,000 acre-Boise foothills. Voters approved the measure.

The Nature Conservancy began in 1951 and has since become the world's leading private international conservation organization in terms of number of members, dollars raised, and acres protected. The mission of The Nature Conservancy is to “preserve plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need

to survive.” The Idaho chapter is the largest conservation organization in the state. It has conserved over 220,000 acres and manages 22 preserves. The Conservancy protects land through acquisition, gifts, exchanges, conservation easements, management agreements and partnerships. The Nature Conservancy works with a variety of partners to accomplish conservation including farmers, ranchers, businesses, community leaders, government agencies and other conservation organizations and pays taxes on all the land it owns.

Figure 20 illustrates the success of various land protection efforts in Idaho. This map shows the areas of private and federal lands, plus stream systems, that are essentially protected from most development. These include federal wilderness areas, parks, recreational areas, wild and scenic rivers, state designated natural and recreational rivers and various other land classifications that may preclude development.

### **Implications for the Forest Legacy Program**

Given the number of agencies and programs directed toward the private forest landowner in Idaho, one might be tempted to question the need for the Forest Legacy Program. It is important to note that the Legacy Program offers a solely unique incentive to landowners—a way for them to capture the value of their lands for development while still maintaining their lands as forests. With this assurance, then landowners are well positioned and should be encouraged to take advantage of other programs that will help them better manage their forestlands.

**Figure 18.**  
Natural Resource Areas

